

CHAPTER 180
LICENSURE OF OPTOMETRISTS

[Prior to 6/13/01, see 645—Chapter 180]

645—180.1(154) Definitions. For purposes of these rules, the following definitions shall apply:

“Approved program or activity” means a continuing education program or activity meeting the standards set forth in these rules which has received advance approval by the board pursuant to these rules.

“Board” means the board of optometry examiners.

“Diagnostically certified optometrist” means an optometrist who is licensed to practice optometry in Iowa and who is certified by the board of optometry examiners to use cycloplegics, mydriatics and topical anesthetics as diagnostic agents topically applied to determine the condition of the human eye for proper optometric practice or referral for treatment to a person licensed under Iowa Code chapter 148 or 150A.

“DPA” means diagnostic pharmaceutical agents.

“Inactive licensee” means any person licensed to practice optometry in Iowa who has met all conditions for officially placing the person’s license on inactive status and may not practice optometry until the reinstatement requirements as defined in these rules are met.

“Lapsed license” means a license that a person has failed to renew as required, or the license of a person who has failed to meet the stated obligations for renewal within a stated time.

“Licensee” means any person licensed to practice as an optometrist in the state of Iowa.

“Licensure by endorsement” means the issuance of an Iowa license to practice optometry to an applicant who is currently licensed in another state.

“Mandatory training” means training on identifying and reporting child abuse or dependent adult abuse required of optometrists who are mandatory reporters. The full requirements on mandatory reporting of child abuse and the training requirements are found in Iowa Code section 232.69. The full requirements on mandatory reporting of dependent adult abuse and the training requirements are found in Iowa Code section 235B.16.

“NBEO” means the National Board of Examiners in Optometry.

“Reciprocal license” means the issuance of an Iowa license to practice optometry to an applicant who is currently licensed in another state which has a mutual agreement with the Iowa board of optometry examiners to license persons who have the same or similar qualifications to those required in Iowa.

“Therapeutically certified optometrist” means an optometrist who is licensed to practice optometry in Iowa and who is certified by the board of optometry examiners to use diagnostic and therapeutic pharmaceutical agents for the purpose of diagnosis and treatment of the conditions of the human eye and adnexa, excluding the use of oral Imuran or oral Methotrexate, and who may remove superficial foreign bodies from the human eye and adnexa.

“TPA” means therapeutic pharmaceutical agents.

645—180.2(154) Requirements for licensure.

180.2(1) The following criteria shall apply to licensure:

a. An applicant shall complete a board-approved application form. Application forms may be obtained from the board’s Web site (<http://www.idph.state.ia.us/licensure>) or directly from the Board of Optometry Examiners, Professional Licensure Division, Fifth Floor, Lucas State Office Building, Des Moines, Iowa 50319-0075.

b. An applicant shall complete the application form according to the instructions contained in the application. If the application is not completed according to the instructions, the application will not be reviewed by the board.

c. An applicant shall submit the appropriate fees payable by check or money order to the Board of Optometry Examiners. The fees are nonrefundable.

d. No application will be considered complete until official copies of academic transcripts sent directly to the board from an accredited school or college of optometry are received by the board and the applicant submits proof of satisfactory completion of all educational requirements contained in Iowa Code chapter 154.

e. An applicant shall pass all parts of the NBEO examination in effect at the time of application.

f. Licensees who were issued their licenses within six months prior to the renewal date shall not be required to renew their licenses until the renewal date two years later.

g. Incomplete applications that have been on file in the board office for more than two years shall be:

(1) Considered invalid and shall be destroyed; or

(2) Maintained upon written request of the candidate. The candidate is responsible for requesting that the file be maintained.

h. An applicant shall provide an official verification regarding the status of the applicant's license from the board of examiners in each state in which the applicant is currently or was formerly licensed.

180.2(2) A licensee may change from a diagnostically certified optometrist to a therapeutically certified optometrist by taking 40 hours of didactic education and 60 hours of approved supervised clinical training in the examination, diagnosis, and treatment of conditions of the human eye and adnexa and an additional 44 hours of education with emphasis on treatment and management of glaucoma and use of oral pharmaceutical agents for treatment and management of ocular diseases as defined by statute.

645—180.3(154) Licensure by endorsement. An applicant who has been a licensed optometrist under laws of another jurisdiction for one year or more shall file an application for licensure by endorsement with the board office. An applicant for licensure to practice optometry in Iowa may only apply to be a therapeutically certified optometrist. The board may receive by endorsement any applicant from the District of Columbia, another state, territory, province or foreign country who:

180.3(1) Submits to the board a completed application;

180.3(2) Pays the licensure fee; and

180.3(3) Shows evidence of the following:

a. The applicant shall provide a notarized copy of the diploma, no larger than 8½" × 11", along with an official copy of the transcript sent directly from the school to the board office. The transcript shall show a doctor of optometry degree from an accredited school. In the case of foreign graduates, applicants shall provide evidence of adherence to the current requirements of the NBEO to sit for the examination;

b. The applicant shall show evidence of successful completion of the examination of the NBEO that was current at the time of initial licensure, or the examination that is currently offered by the NBEO;

c. The applicant shall supply evidence of completion of a course which has particular emphasis on the examination, diagnosis and treatment of conditions of the human eye and adnexa, provided by an institution accredited by a regional or professional accreditation organization which is recognized or approved by the Council on Postsecondary Accreditation of the United States Department of Education;

d. The applicant shall show evidence on the transcript of:

(1) Forty hours of didactic education and 60 hours of approved supervised clinical training in the examination, diagnosis, and treatment of conditions of the human eye and adnexa; and

(2) An additional 44 hours of education with emphasis on treatment and management of glaucoma and use of oral pharmaceutical agents for treatment and management of ocular diseases.

e. If the transcript does not show evidence of 40 hours of didactic education, 60 hours of approved supervised clinical training in the examination, diagnosis and treatment of conditions of the human eye and adnexa, and 44 hours of education with emphasis on treatment and management of glaucoma and use of oral pharmaceutical agents for treatment and management of ocular diseases, the applicant shall show satisfactory evidence of completion of a course that includes training in the above-listed areas.

f. Any transcript that shows graduation from an approved school of optometry after January 2, 1988, meets the requirement of 180.3(3) “*d.*”

g. Any transcript that shows graduation from an approved school of optometry after January 2, 1986, meets the requirement of 40 hours of didactic education and 60 hours of approved supervised clinical training in the examination, diagnosis, and treatment of conditions of the human eye and adnexa.

h. An applicant for licensure by endorsement shall provide proof of licensure and evidence of one year of active practice in another state, territory or district of the United States immediately preceding the date of application that has a similar scope of practice to that required in Iowa as determined by the board. When the scope of practice is different, the applicant shall make available to the board evidence of completion of additional hours of training related to the area of the deficiency as prescribed by the board. The board may waive the requirement of one year of active practice if, during the above-mentioned one-year period, the applicant was:

- (1) Teaching optometry;
- (2) A military optometrist;
- (3) A supervisory or administrative optometrist; or
- (4) A researcher in optometry.

i. An applicant shall provide verification by an official statement from the board of examiners in each state in which the applicant is licensed regarding the status of the applicant’s license, including date of licensure and license expiration date.

j. An applicant shall provide a statement disclosing and explaining the applicant’s involvement in civil litigation related to the practice of optometry in any jurisdiction of the United States, other nations or territories.

k. Applicants for licensure by endorsement who were issued their Iowa licenses within six months prior to the renewal date shall not be required to renew their licenses until the renewal date two years later.

645—180.4(147) Licensure by reciprocal agreement. The board may enter into a reciprocal agreement with the District of Columbia, any state, territory, province or foreign country with equal or similar requirements for licensure of optometrists.

645—180.5(154) License renewal.

180.5(1) The biennial license renewal period for a license to practice optometry shall begin on July 1 of an even-numbered year and end on June 30 two years later. The board shall notify the licensee at the address on record at least 60 days prior to expiration of the license. Failure to receive the renewal application shall not relieve the licensee of the obligation to pay the biennial renewal fee on or before the renewal date.

180.5(2) An individual who was issued an initial license within six months of the license renewal date will not be required to renew the license until the subsequent renewal two years later.

180.5(3) A licensee shall:

- a.* Meet the continuing education requirements of rule 645—181.2(154) and the mandatory reporting requirements of subrule 180.5(4); and
- b.* Submit the completed renewal application, continuing education report form and renewal fee before the license expiration date.

180.5(4) Mandatory reporter training requirements.

a. A licensee who, in the scope of professional practice or in the licensee's employment responsibilities, examines, attends, counsels or treats children in Iowa shall indicate on the renewal application completion of two hours of training in child abuse identification and reporting in the previous five years or condition(s) for waiver of this requirement as identified in paragraph "e."

b. A licensee who, in the course of employment, examines, attends, counsels or treats adults in Iowa shall indicate on the renewal application completion of two hours of training in dependent adult abuse identification and reporting in the previous five years or condition(s) for waiver of this requirement as identified in paragraph "e."

c. A licensee who, in the scope of professional practice or in the course of the licensee's employment responsibilities, examines, attends, counsels or treats both adults and children in Iowa shall indicate on the renewal application completion of training in abuse identification and reporting for dependent adults and children in the previous five years or condition(s) for waiver of this requirement as identified in paragraph "e."

Training may be completed through separate courses as identified in paragraphs "a" and "b" or in one combined two-hour course that includes curricula for identifying and reporting child abuse and dependent adult abuse. The course shall be a curriculum approved by the Iowa department of public health abuse education review panel.

d. The licensee shall maintain written documentation for five years after mandatory training as identified in paragraphs "a" to "c," including program date(s), content, duration, and proof of participation.

e. The requirement for mandatory training for identifying and reporting child and dependent adult abuse shall be suspended if the board determines that suspension is in the public interest or that a person at the time of license renewal:

- (1) Is engaged in active duty in the military service of this state or the United States.
- (2) Holds a current waiver by the board based on evidence of significant hardship in complying with training requirements, including an exemption of continuing education requirements or extension of time in which to fulfill requirements due to a physical or mental disability or illness as identified in 645—Chapter 181.

f. The board may select licensees for audit of compliance with the requirements in paragraphs "a" to "e."

180.5(5) When all requirements for license renewal are met, the licensee shall be sent a wallet card by regular mail.

180.5(6) A person licensed to practice optometry shall keep the license certificate and wallet card(s) displayed in a conspicuous public place at the primary site of practice.

180.5(7) Late renewal. The license shall become late when the license has not been renewed by the expiration date on the wallet card. The licensee shall be assessed a late fee as specified in 645—subrule 184.1(3). To renew a late license, the licensee shall complete the renewal requirements and submit the late fee within 30 days following the expiration date on the wallet card.

645—180.6(272C) Exemptions for inactive practitioners.

180.6(1) A licensee who is not engaged in practice in the state of Iowa may be granted a waiver of compliance and obtain a certificate of exemption upon written application to the board. The application shall contain a statement that the applicant will not engage in the practice of optometry in the state of Iowa without first complying with all regulations governing reinstatement after exemption. The application for a certificate of exemption shall be submitted by the license expiration date upon the form provided by the board. A licensee must hold a current license in order to apply for exempt status. A licensee shall apply for inactive status prior to the license expiration date.

180.6(2) Reinstatement of exempted, inactive practitioners. Inactive practitioners who have requested and been granted a waiver of compliance with the renewal requirements and who have obtained a certificate of exemption shall, prior to engaging in the practice of the profession in Iowa, satisfy the requirements for reinstatement as outlined in 645—181.10(154,272C).

180.6(3) Licensees shall renew at the next scheduled renewal. Licensees who were issued their reinstatements within six months prior to the renewal date shall not be required to renew their licenses until the renewal date two years later.

180.6(4) A new licensee who is on inactive status during the initial license renewal time period and reinstates before the first license expiration date will not be required to complete continuing education only for that first license renewal time period. Fifty hours of continuing education for therapeutic licensees and 30 hours for nontherapeutic licensees will be required for every renewal thereafter.

180.6(5) Verifications of license(s) are required from any state in which the licensee has practiced since the Iowa license became inactive.

180.6(6) Reinstatement of the inactive license after exemption. The following chart illustrates the requirements for reinstatement based on the length of time a license has been inactive.

An applicant shall satisfy the following requirements:	Up to 1 renewal	2 or more renewals
Submit written application for reinstatement to the board	Required	Required
Pay the current renewal fee	\$120	\$120
Pay reinstatement fee	\$50	\$50
Provide evidence of full-time practice in another state and completion of continuing education hours equivalent to requirements in Iowa OR Provide evidence of completion of continuing education OR Provide evidence of successful completion of national examination	50 hours for therapeutic licensees 30 hours for nontherapeutic licensees 50 hours for therapeutic licensees 30 hours for nontherapeutic licensees National examination within one year immediately prior to application for reinstatement	100 hours for therapeutic licensees 60 hours for nontherapeutic licensees 100 hours for therapeutic licensees 60 hours for nontherapeutic licensees National examination within one year immediately prior to application for reinstatement
Total fees and continuing education hours required:	\$170 and 50 hours for therapeutic licensees, \$170 and 30 hours for nontherapeutic licensees	\$170 and 100 hours for therapeutic licensees, \$170 and 60 hours for nontherapeutic licensees

645—180.7(272C) Lapsed licenses.

180.7(1) If the renewal fee(s) and continuing education report are received more than 30 days after the license renewal expiration date, the license is lapsed. An application for reinstatement must be filed with the board accompanied by the reinstatement fee, the renewal fee for each biennium the license is lapsed, and the late fee. The licensee may be subject to an audit of the licensee’s continuing education report.

180.7(2) Licensees who have not fulfilled the requirements for license renewal or for an exemption in the required time frame shall have a lapsed license and shall not engage in the practice of optometry in Iowa. Practicing without a license may be cause for disciplinary action.

180.7(3) In order to reinstate a lapsed license, a licensee shall comply with all requirements for reinstatement as outlined in 645—181.6(154).

180.7(4) Licensees whose licenses are reinstated within six months prior to the renewal date shall not be required to renew their licenses until the renewal date two years later.

180.7(5) Verifications of license(s) are required from any state in which the licensee has practiced since the Iowa license lapsed.

180.7(6) Following reinstatement of a lapsed license, the licensee shall renew the license at the next scheduled renewal cycle and shall complete the continuing education required for that renewal.

180.7(7) Reinstatement of a lapsed license. The following chart illustrates the requirements for reinstatement based on the length of time a license has lapsed.

An applicant shall satisfy the following requirements:	30 days after expiration date up to 1 renewal	2 renewals	3 renewals	4 renewals
Submit written application for reinstatement	Required	Required	Required	Required
Pay renewal fee(s)	\$120	\$240	\$360	\$480
Pay reinstatement fee	\$50	\$50	\$50	\$50
Pay late fee	\$50	\$50	\$50	\$50
Complete continuing education requirements	50 hours for therapeutic licensees 30 hours for nontherapeutic licensees	100 hours for therapeutic licensees 60 hours for nontherapeutic licensees	100 hours for therapeutic licensees 60 hours for nontherapeutic licensees	100 hours for therapeutic licensees 60 hours for nontherapeutic licensees
Total fees and continuing education hours required:	\$220 and 50 hours for therapeutic licensees, \$220 and 30 hours for nontherapeutic licensees	\$340 and 100 hours for therapeutic licensees, \$340 and 60 hours for nontherapeutic licensees	\$460 and 100 hours for therapeutic licensees, \$460 and 60 hours for nontherapeutic licensees	\$580 and 100 hours for therapeutic licensees, \$580 and 60 hours for nontherapeutic licensees

645—180.8(147) Duplicate certificate or wallet card.

180.8(1) A duplicate wallet card or duplicate certificate shall be required if the current wallet card or certificate is lost, stolen or destroyed. A duplicate wallet card or a duplicate certificate shall be issued only under such circumstances.

180.8(2) A duplicate wallet card or duplicate certificate shall be issued upon receipt of the completed application for duplicate license and payment of the fee as specified in rule 645—184.1(147,154).

180.8(3) If the board receives a completed application for duplicate license stating that the wallet card or certificate was not received within 60 days after being mailed by the board, no fee shall be required for issuing the duplicate wallet card or duplicate certificate.

645—180.9(147) Reissued certificate or wallet card. The board shall reissue a certificate or current wallet card upon receipt of a written request from the licensee, return of the original document and payment of the fee as specified in rule 645—184.1(147,154).

645—180.10(17A,147,272C) License denial.

180.10(1) An applicant who has been denied licensure by the board may appeal the denial and request a hearing on the issues related to the licensure denial by serving a notice of appeal and request for hearing upon the board not more than 30 days following the date of mailing of the notification of licensure denial to the applicant. The request for hearing as outlined in these rules shall specifically describe the facts to be contested and determined at the hearing.

180.10(2) If an applicant who has been denied licensure by the board appeals the licensure denial and requests a hearing pursuant to this rule, the hearing and subsequent procedures shall be held pursuant to the process outlined in Iowa Code chapters 17A and 272C.

These rules are intended to implement Iowa Code chapters 17A, 147, 154 and 272C.

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